

**NOTE: ANYONE REQUESTING INTERPRETIVE SERVICES FOR THE HEARING IMPAIRED MUST NOTIFY THE TOWN CLERK'S OFFICE AT 253-7000, 72 HOURS IN ADVANCE OF THE MEETING DATE AND ANYONE REQUESTING ASSISTIVE LISTENING DEVICES OR WISHING TO SPEAK ON A MATTER DESIGNATED "CA" (CONSENT AGENDA) ON THE COUNCIL DOCKET MUST NOTIFY THE COUNCIL CLERK PRIOR TO THE COMMENCEMENT OF THE MEETING.**

DATE: January 5, 2011 TIME: 7:00 PM

TOWN HALL - COUNCIL CHAMBERS

PRESENT:

MEETING DATES: January 26, 2011 - Town Council Meeting  
February 16, 2011 - Town Council Meeting  
March 9, 2011 - Town Council Meeting

Ms. M. Candace Pansa, Executive Director, Bristol Housing  
Authority - Presentation of PILOT check

**SPECIAL RECOGNITIONS**

Raymond Castro  
John F. McKenna III

Bristol Snowflake Raffle Committee

**MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA**

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Meeting - November 10, 2010
2. Town Council Special Meeting - November 15, 2010
3. Town Council Twentieth Re-organizational Meeting - December 8, 2010

**(CA) AA. SUBMISSION OF MINUTES-Boards and Commissions**

**Approval of consent agenda="Motion to receive and place these items on file."**

1. Historic District Commission - October 19, 2010
2. North and East Burial Grounds Commission - June 28, 2010
3. North and East Burial Grounds Commission - September 27, 2010
4. Bristol County Water Authority - Board of Directors, October 13, 2010
5. Bristol County Water Authority - Audit Finance Committee, November 3, 2010
6. Bristol County Water Authority - Engineering Committee, November 3, 2010
7. Bristol County Water Authority - Public Relations/Personnel Committee, November 3, 2010
8. Bristol Housing Authority - Board of Commissioners, October 14, 2010
9. Mosaico CDC - Board of Directors, October 22, 2010
10. Substance Abuse Prevention Task Force - October 18, 2010
11. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - May 13, 2010
12. Animal Shelter Capital Project Committee - October 21, 2010
13. Bristol Warren Regional School Committee - bi-monthly meeting, October 25, 2010
14. Bristol Warren Regional School Committee - special meeting, November 8, 2010
15. Board of Fire Engineers - November 29, 2010
16. Historic District Commission - November 4, 2010

17. Historic District Commission - special meeting, November 10, 2010
18. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - November 18, 2010
19. Bristol County Water Authority - Board of Directors, November 10, 2010
20. Bristol County Water Authority - Audit Finance Committee, December 1, 2010
21. Bristol County Water Authority - Engineering Committee, December 1, 2010
22. Bristol County Water Authority - Public Relations/Personnel Committee, December 1, 2010
23. Harbor Commission - December 6, 2010
24. Bristol Housing Authority - Board of Commissioners, November 10, 2010
25. Planning Board - October 19, 2010

B. OLD BUSINESS

1. (Draft) legislation provided by Town Solicitor Ursillo re ratification and validation of approved amendments to the Bristol Home Rule Charter by the electors on November 2, 2010
  - a. (Draft) resolution provided by Town Solicitor Ursillo re enactment of above-noted legislation during 2011 session
  - b. Amendments of the Bristol Home Rule Charter (adopted November 2, 2010)
  - c. Council Chairman Marshall re approved Town Charter amendments concerning appointments
2. Council Clerk Cirillo re LNG Matching funds to Save the Bay (Notification #5 - November 1, 2010 through November 30, 2010)

3. David G. Bebyn, CPA, Vice President, B&E Consulting, LLC to Town Solicitor Ursillo re amendments to B&E proposal for a performance audit of the Bristol County Water Authority
  - a. Marina Peterson, 38 Thompson Avenue, on behalf of the Bristol East Bay Patriots Citizens' Watch Committee re objection to proposed BCWA "Efficiency Audit" and request for attendance of the Council and Town of Bristol appointed directors of BCWA at the open meeting to be held on January 25, 2011
4. Domenic Raiola, 45 Shore Road re flooding from spring storms, **continued from November 10, 2010**
5. Councilwoman Parella re Garfield Avenue (Mary Gaspar), **continued from November 10, 2010**
6. Christopher Gray, Chairman, LNG Working Group re distribution of the resolutions in opposition to Hess Weaver's Cove LNG proposal
7. Councilman Herreshoff re request to join in boycott of Hess stock
  - a. Town Treasurer Goucher re Employees' Retirement System of Rhode Island (ERSRI) investments in Hess
8. Director of Community Development Williamson re Low-Moderate Income Housing
9. Councilman Herreshoff re Trees involved in Hope Street Project

BB. SPECIAL /STATUS REPORTS

C. PUBLIC HEARINGS

1. Director of Community Development Williamson re Harbor Management Plan update, **2<sup>nd</sup> reading for adoption**
  - a. (Draft) Harbor Management Plan update
  - b. Synopsis of updates to Harbor Management Plan

D. ORDINANCES

1. Director of Community Development Williamson  
re Harbor Management Plan update, **2<sup>nd</sup> reading  
for adoption** (see item C1-C1b also)

**(CA)** E. BUDGET ADJUSTMENTS

**Approval of consent agenda="Motion to approve these  
adjustments."**

1. Tax Assessor Spagnolo - Recommended  
Abatements & Additions for January, 2011

**(CA)** F. APPOINTMENTS

**Approval of consent agenda="Motion to approve advertising  
these Appointments."**

1. Public Service Appointments
  - a. Board of Tax Assessment Review (term to  
expire December, 2013)
    1. Albert E. Proffitt, 10 Fort Hill  
Road - interest/reappointment
      - a. Recommendation - Thomas M.  
Carroll, Chairman, Republican  
Town Committee
        - i. Council Clerk Cirillo to  
Thomas M. Carroll,  
Chairman, Republican Town  
Committee re appointment
  - b. Board of Tax Assessment Review -  
Alternate Members (pursuant to attached  
Home Rule Charter amendment approved by  
electors on November 2, 2010)
  - c. Conservation Commission (3) (terms to  
expire December, 2013)
    1. Raymond P. Payson, 131 Ferry Road -  
interest/reappointment

2. Lindsay Green, 73 Union Street - interest/reappointment
3. Owen E. Trainor, 3<sup>rd</sup>, 198 High Street - interest/reappointment
- d. Juvenile Hearing Board (term to expire December, 2013)
  1. Oryann Lima, 73 Franklin Street - interest/reappointment
  2. Susan Cheshire, 33 Wapping Drive - interest/appointment
  3. Sean McCormack, 66 Ferry Road - interest/appointment
- e. Personnel Board (term to expire December, 2014)
  1. Joseph DeMelo, 3 Roosevelt Drive - interest/reappointment
- f. Redevelopment Agency (2) (terms to expire December, 2015)
  1. Ronald J. Rodrigues, 209 Hope Street - interest/reappointment
  2. Robert Aldrich, 7 Fox Hill Avenue - interest/reappointment
- g. Redevelopment Agency - Alternate Members (2) (to fill unexpired term of Second Alternate, to expire December, 2011 and Third Alternate, term to expire December, 2012)
  1. David Charette, 134 Bayview Avenue - not seeking reappointment
- h. Bristol Warren Regional Joint Finance Committee (6) (to include Council Chairman and Town Administrator or designee, terms to expire December, 2012)
  1. Council Clerk Cirillo re appointments

- a. Town Administrator Mederos re appointment
- i. Historic District Commission
  - 1. David Andreozzi, 38 Highland Road re resignation
- j. Fourth of July Committee
  - 1. Patricia Squatrito, Corresponding Secretary, Fourth of July Committee re additional membership for 2011
- (CA) 2. Public Service Appointments for January
- G. LICENSING BOARD - NEW PETITIONS
- H. LICENSING BOARD - RENEWALS
  - 1. Scott DaSilveira, 280 Market Street, Warren, d/b/a Scotts Landscaping Management Corp. - six (6) month review of Drainlayer's License (granted July 7, 2010 but not issued)
  - 2. Junk and Second Hand Dealer's License Renewals for 2011

(CA) I. UTILITY PETITIONS

**Approval of consent agenda="Motion to approve these petitions."**

- (CA) 1. Public Works Director Serbst - Road Cut Permits
- (CA) 2. Water Pollution Control Superintendent Calderiso - Sewer Permits
- 3. National Grid and Verizon - request permission to install proposed new joint pole on Tilbury Drive
  - a. Recommendation - Director of Public Works
- 4. Town Administrator Mederos re street light request

- a. David Prenda, 11 Peter Road - request for street light(s) on Peter Road

J. PETITIONS - OTHER

1. Cheryl A. Skuba, 32 Ridge Road re report of injury
  - a. Peter J. Cerilli, Esquire for Cheryl A. Skuba re claim for personal injury
2. Stacey Sadlier, Team Leader, RI Hope re assistance program providing support to individuals affected by 2010 flood
3. Holly M. Prew, 16 Mt. Hope Avenue re claim for property damage
4. Debra A. Cabral, 191 State Street - request for removal of the handicap parking space in front of 193 State Street, **1<sup>st</sup> reading**
5. Todd Roper, 30 Union Street - request for review/amendment of the Town Code pertaining to the owners of vicious breeds of dogs
  - a. Lois A. C. Ferreira, 53 Sowams Road re request for consideration to amend the Town Code restricting animals from various events
6. N. Diane Davis, Parent Adviser, Mt. Hope High School Marching Band Parents Association re request for support of MHHS Marching Band trip to the Disney World Festival of Music in Orlando, Florida

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Director of Community Development Williamson re dedication of a four foot strip of land along the north side of Kickemuit Avenue from Sales family subdivision approval (see attached deed)
2. Robert B. Rapoza, Director of Elections, State Board of Elections re request for support of proposed legislation to eliminate the number of voters allowed in a polling place



3. Wendy J.W. Marshall, CMC, Middletown Town Clerk re request for support of resolution encouraging the return of the America's Cup competition to the City of Newport
4. Town Administrator Mederos re "Notable Mention" given to the new Rescue and Fire Department Headquarters building in the November 2010 issue of *Fire Chief Magazine*
5. Town Administrator Mederos re Second Amendment to Memorandum of Understanding between the Town of Bristol and Roger Williams University
6. Councilman Herreshoff re early budget action
7. Director of Community Development Williamson re proposed Economic Development Commission recommendations concerning ordinance and fee revisions
8. Coastal Resources Management Council re notice of public hearing on proposed changes to the RI Coastal Management Program has been rescheduled to January 25, 2011 (from January 11, 2011)
9. Town Treasurer Goucher re request to schedule a workshop concerning audit
10. Council Chairman Marshall re request to schedule a workshop with Boards and Commissions
11. Council Chairman Marshall re Robert's Rules concerning Council decorum

L. BILLS & EXPENDITURES

1. Bid #717 - Service Contract for Emergency Generators (Water Pollution Control Department)
2. Bid #718 - Removal of Boiler & Water Heater and Installation of Two (2) Peerless Boilers & One (1) Weil McLain Water Heater (Police Station)

3. Bid #720 - Window Restoration Project  
(Burnside Building)

(CA) M. ROUTINE REPORTS

(CA) N. FINANCIAL REPORTS

**Approval of consent agenda="Motion to receive and place this item on file."**

1. (Town Treasurer Goucher) re Revenue and  
Expenditure Statement, December 30, 2010

P. PROCLAMATIONS & CITATIONS

(CA) R. DISTRIBUTIONS/COMMUNICATIONS (to be received and  
filed by Council)

**Approval of consent agenda="Motion to receive and place these items on file."**

1. Council Clerk Cirillo to E. Keith Maloney re  
thank you for service on the Redevelopment  
Agency
2. Town Administrator Mederos to Gorman Roofing,  
Inc. of Cumberland, RI re award of Bid #709 -  
Roof/Hose Tower Repair/Improvements (Ever  
Ready Fire Station)
3. Town Administrator Mederos to Advantage Glass  
of Cranston, RI re award of Bid #707 -  
Doors/Windows Replacement (Defiance Fire  
Station)
4. Drainlayer's License Renewal petitions  
(granted November 10, 2010)
5. Holiday Sales License Renewal petitions  
(granted November 10, 2010)
6. Amusement Devices License Renewal petition  
(granted November 10, 2010)
7. Victualling License Renewal petitions  
(granted November 10, 2010)
8. Intoxicating Beverage License Renewal  
petitions (granted November 10, 2010)

9. Council Clerk Cirillo to Director of Public Works Serbst re handicap parking space designated in front of 52 Thompson Avenue
10. Council Clerk Cirillo to Martin D. Wencek, Supervisor for Applications, Office of Water Resources/Permitting Section, Rhode Island Department of Environmental Management re objection to application of Joshua Securo
  - a. Martin D. Wencek, RIDEM to Joshua Securo, 1776 Bicentennial Way, Apt. F-5, North Providence, RI re notice of denial concerning proposed project at property located on Peck Avenue (Assessor's Plat 63, Lots 1, 2 & 3)
11. St. Elizabeth Church/Holy Trinity, 577 Wood Street - Class F1 Intoxicating Beverage License for December 4, 2010
12. Warrant - Victor G. Cabral, Jr., Historic District Commission
13. (Bristol County Water Authority) re BCWA in the News, Miscellaneous Correspondence November 2010
14. Coastal Resources Management Council - Semi-Monthly Meeting, November 16, 2010
15. Coastal Resources Management Council - November 2010 Calendar (amended November 17, 2010)
16. Coastal Resources Management Council - Semi-Monthly Meeting, November 23, 2010
17. Town Solicitor Ursillo to Federal Energy Regulatory Commission (FERC) re request that the issue of bridge closings due to LNG deliveries be included in the 18 bulleted identified issues of general concern
18. Warrant - Ronald E. Roscoe, Waypoysset Trust
19. Melinda L. Theis, Superintendent, Bristol Warren Regional School District re invitation

to Community Forum on Education hosted by  
Commissioner Gist on December 14, 2010

20. Coastal Resources Management Council -  
December 2010 Calendar
21. Warrant - Michael A. Lenarcic, Post  
Retirement Benefits Fund - Board of Trustees
22. Frank J. Karpinski, Executive Director, ERSRI  
Board (Employees' Retirement System of Rhode  
Island Board) re Memorandum #35 concerning  
elected municipal officials and participation  
in the Municipal Employees' Retirement System  
(MERS)
23. Rhode Island Clean Water Finance Agency re  
2010 Annual Report and Financial Statements  
for the years ended June 30, 2010 and 2009
24. (Bristol County Water Authority) re BCWA in  
the News, Miscellaneous Correspondence  
December 2010
25. Warrant - Michael A. Ursillo, Town Solicitor
26. Warrant - Andrew M. Teitz, Assistant Town  
Solicitor
27. Warrant - Nancy E. Letendre, Assistant Town  
Solicitor
28. Warrant - Scott A. Ritch, Assistant Town  
Solicitor
29. Warrant - Paul S. Ryan, Assistant Town  
Solicitor
30. Warrant - Jeanne M. Scott, Assistant Town  
Solicitor
31. Warrant - Marshall J. Netto, Town Sergeant
32. Warrant - Richard B. Abilheira, Probate Judge
33. Warrant - Jacqueline M. Grasso, Municipal  
Court Judge
34. Warrant - Jane F. Howlett, First Associate  
Municipal Court Judge

35. Warrant - Paul Silva, Second Associate Municipal Court Judge
36. Warrant - Richard C. Sousa, Sr., Municipal Court Bailiff
37. Coastal Resources Management Council - Semi-Monthly Meeting, December 14, 2010
38. Tom Dean, Project Coordinator, New England Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission to Gary Demers, Dodge Mill Realty, LLC of Attleboro, MA re acceptance letter for preliminary permit application
  - a. Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission re notice concerning proposed project of Dodge Mill Realty, LLC
39. Council Clerk Cirillo to Gregg Landes, Vice President, Project Manager, Weaver's Cove Energy re request to schedule a public forum
40. Town Clerk/Council Clerk to William J. Delaney, Esq. re Class BV Intoxicating Beverage License renewal granted on November 10, 2010 to Prince Investment Group, LLC (d/b/a Ricc's North End Trattoria), 200 Gooding Avenue
41. Quitclaim Deed re conveyance of property located on Narrows Road (Assessor's Plat 149, Lots 40 and 41) from Craig S. D'Ambra to the Town of Bristol (land evidence recorded copy)

**(CA) RR. DISTRIBUTIONS/NOTICE OF MEETINGS**  
(office copy only)

**Approval of consent agenda="Motion to receive and place these items on file."**

1. Zoning Board of Review - December 6, 2010
2. Substance Abuse Prevention Task Force - November 15, 2010

3. Bristol Warren Regional School Committee - November 15, 2010
4. Bristol Warren Regional School Committee - Future Enrollment & Facilities Task Force, November 17, 2010
5. Bristol County Water Authority - December 2010 Meetings
6. Animal Shelter Capital Project Committee - November 18, 2010
7. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - November 18, 2010
8. Bristol Warren Regional School District - Schedule of Meetings, Week of November 22, 2010
9. Bristol Warren Regional School Committee - Personnel/Contract Negotiation Subcommittee, November 22, 2010
10. Bristol Warren Regional School Committee - November 22, 2010
11. Recreation Board - November 30, 2010
12. Bristol Warren Regional School District - Schedule of Meetings, Week of November 29, 2010
13. Bristol Warren Regional School Committee - Budget/Facilities Subcommittee, November 29, 2010
14. Bristol County Water Authority - Audit Finance Committee - December 1, 2010
15. Bristol County Water Authority - Engineering Committee, December 1, 2010
16. Bristol County Water Authority - Public Relations/Personnel Committee, December 1, 2010
17. Bristol County Water Authority - Board of Directors, December 8, 2010

18. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - December 2, 2010
19. Bristol Warren Regional School District - Schedule of Meetings, Week of December 6, 2010
20. Harbor Commission - December 6, 2010
21. Conservation Commission - December 14, 2010
22. Bristol Warren Regional School Committee - Personnel/Contract Negotiation Subcommittee, December 10, 2010
23. Bristol County Water Authority - January 2011 Meetings
24. Bristol Warren Regional School Committee - BWEA Contract Negotiation Team of the Personnel/Contract Negotiation Subcommittee, December 13, 2010
25. Bristol Warren Regional School Committee - Budget/Facilities Subcommittee, December 13, 2010
26. Bristol Warren Regional School Committee - Personnel/Contract Negotiation Subcommittee, December 13, 2010
27. Bristol Warren Regional School Committee - December 13, 2010
28. Animal Shelter Capital Project Committee - December 16, 2010
29. Bristol Warren Regional School District - Schedule of Meetings, Week of December 20, 2010
30. Bristol Warren Regional School Committee - BWEA Contract Negotiation Subcommittee, December 20, 2010
31. Bristol Warren Regional School Committee - Budget/Facilities Subcommittee, December 20, 2010

32. Historic District Advisory Committee - Inaugural Meeting, January 3, 2011
33. Zoning Board of Review - January 3, 2011
34. Bristol Warren Regional School Committee - BWEA Contract Negotiation Subcommittee, January 3, 13 & 26, 2011
35. Affordable Housing Advisory Committee - 2011 Meeting Schedule
36. Bristol Housing Authority - 2011 Meeting Schedule
37. Bristol Warren Regional School Committee - 2011 Meeting Schedule
38. Christmas Festival Committee - 2011 Meeting Schedule
39. Conservation Commission - 2011 Meeting Schedule
40. Democrat Town Committee - 2011 Meeting Schedule
41. Downtown Public Building Reuse Plan Blue Ribbon Committee - 2011 Meeting Schedule
42. Economic Development Commission - 2011 Meeting Schedule
43. Harbor Commission - 2011 Meeting Schedule
44. Historic District Commission - 2011 Meeting Schedule
45. Municipal Court - 2011 Hearing Dates
46. North and East Burial Grounds Commission - 2011 Meeting Schedule
47. Personnel Board - 2011 Meeting Schedule
48. Planning Board - 2011 Meeting Schedule
49. Recreation Board - 2011 Meeting Schedule



50. Redevelopment Agency - 2011 Meeting Schedule
51. Republican Town Committee - 2011 Meeting Schedule
52. Substance Abuse Prevention Task Force - 2011 Meeting Schedule
53. Zoning Board of Review - 2011 Meeting Schedule
54. Post Retirement Benefits Fund - Board of Trustees - January 4, 2011
55. Conservation Commission - January 3, 2011

S. TOWN SOLICITOR

1. Solid Waste and Recycling Services Agreement between the Rhode Island Resource Recovery Corporation and the Municipality (Town of Bristol)
2. Request for Executive Session pursuant to RIGL §42-46-5 (a) (2) Litigation - 423 Hope Street Redevelopment, LLC vs. Evelyn Spagnolo in her capacity as Tax Assessor for the Town of Bristol

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL
2. CORDEIRO
3. PARELLA
4. BARBOZA
5. HERRESHOFF

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

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**CITIZENS PUBLIC FORUM**

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ADJOURNED: \_\_\_\_\_

:jmw